

## Article - Public Utilities

[\[Previous\]](#)[\[Next\]](#)

§25–204.

(a) (1) When construction begins or within 12 months after completion of a water supply or sewer project, the Commission shall:

(i) in accordance with a classification established under § 25–203 of this subtitle, impose a benefit charge on each property that abuts on the water main or sewer; and

(ii) notify each property owner in writing of:

1. the classification of the owner's property;
2. the benefit charge imposed on the property; and
3. the time and place of a hearing to contest the imposition of the charge.

(2) The Commission may deliver the notice required under this subsection by:

(i) mailing the notice to the last known address of the property owner;

(ii) giving the notice in person to an adult occupying the property; or

(iii) if the property is vacant or unimproved, posting the notice on the property.

(b) (1) For each class of property, the Commission shall impose a benefit charge for water supply or sewer construction, or both, that is based on:

(i) the approximate cost of construction as an integral part of the whole system; and

(ii) 1. the number of front feet abutting on the street, road, lane, alley, right-of-way, or easement in which the water main or sewer is placed; or

2. for multiunit classes, the number of units in or on the property that abut on the water main or sewer.

(2) In accordance with paragraph (1) and subject to paragraph (3) of this subsection, in imposing a front foot benefit charge the Commission:

(i) for an irregularly shaped lot that abuts on a street, road, lane, alley, right-of-way, or easement in which there is or is being constructed a water main or sewer, shall use a front footage the Commission considers reasonable and fair;

(ii) for all the lots in a block owned by the same property owner and appurtenant to a residence, may use a continuous front footage for all the lots regardless of the streets on which the lots face;

(iii) for a lot with a front and rear on separate streets, may use a front footage on both the front and rear; and

(iv) for a corner lot of less than 2 acres in the residential subdivision classification:

1. may not use a front footage on more than one side unless the corner lot abuts on two parallel streets; and

2. if the corner lot abuts on two parallel streets, shall use a front footage that is reasonable and fair, taking into consideration the front footage toward which the building on the lot would naturally face.

(3) The Commission may impose a front foot benefit charge on the full front footage for a lot described in paragraph (2) of this subsection even if a water main or sewer does not extend along the full length of a boundary.

(c) The benefit charge shall be:

(1) unless otherwise provided in this subtitle, uniform for each classification of property in the sanitary district for any 1 year;

(2) determined by the Commission as costs and conditions require; and

(3) imposed once a year to begin on the January 1 or July 1 after the date of its imposition and may not be increased in that year.

(d) (1) Beginning when the Commission imposes a benefit charge for a property, the Commission shall require the property owner to pay the benefit charge annually for a period of years equal to the period of maturity of the bonds the proceeds of which financed the construction of the water main or sewer.

(2) If a property of the Housing Opportunities Commission of Montgomery County is subject to a benefit charge under this subtitle, the benefit charge shall be paid in the same manner as by a private property owner.

(e) Each benefit charge imposed under this subtitle is a lien against the property that continues until the benefit charge is paid and the account is extinguished in accordance with this subtitle.

[\[Previous\]](#)[\[Next\]](#)